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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)	<u>PATENT APPLICATION</u>
)	
Inventors: Bank, et al.)	
)	
Application No.: 10/071,562)	
)	
Filed: February 8, 2002)	
)	
Title: A METHOD, ARTICLE OF MANUFACTURE, AND)	<u>Customer No. 28554</u>
PROCESSING DEVICE FOR PROVIDING)	
PROMOTIONS OVER A NETWORK USING AN)	
ALPHANUMERIC SEQUENCE FROM A PRODUCT)	

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; I believe that I am the original, first and sole inventor (if one name is listed below), first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**A METHOD, ARTICLE OF MANUFACTURE, AND PROCESSING DEVICE FOR
PROVIDING PROMOTIONS OVER A NETWORK USING AN
ALPHANUMERIC SEQUENCE FROM A PRODUCT**

the specification of which was filed with the above-identified "Filed" date and "Application No."

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to be material to the patentability of the application in accordance with Title 37, Code of Federal Regulations, §1.56 (copy attached).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

(1) Full name of first
or sole inventor: Edward L. Bank

(1) Residence: 625 Dorchester Road
San Mateo, California 94402

(1) Post Office Address: same

(1) Citizenship: United States

(1) Inventor's signature: Edward L. Bank

(1) Date: Apr 15, 2002

(2) Full name of second
joint inventor: Michael J. Comb

(2) Residence: 6450 Dougherty #535
Dublin, California 94568

(2) Post Office Address: same

(2) Citizenship: United States

(2) Inventor's signature: Michael J. Comb

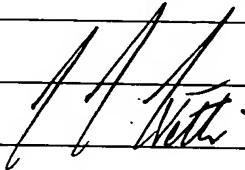
(2) Date: Apr 15, 2002

(3) Full name of third
joint inventor: Juan Carlos Velten Funcia

(3) Residence: 1740 Broadway, #404
San Francisco, California 94109

(3) Post Office Address: same

(3) Citizenship: Mexico

(3) Inventor's signature: 

(3) Date: April 22, 02

Title 37, Code of Federal Regulations, §1.56

**SECTION 1.56. DUTY TO DISCLOSE INFORMATION
MATERIAL TO PATENTABILITY**

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is cancelled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is cancelled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§1.97(b)-(d) and 1.98.* However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

(1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or

(2) It refutes, or is inconsistent with, a position the applicant takes in:

(i) Opposing an argument of unpatentability relied on by the Office; or

(ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

(1) Each inventor named in the application;

(2) Each attorney or agent who prepares or prosecutes the application; and

(3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

* §§1.97(b)-(d) and 1.98 relate to the timing and manner in which information is to be submitted to the Office.



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PTO/SB/81 (10-00)

Approved for use through 10/31/2002. OMB 0651-0035

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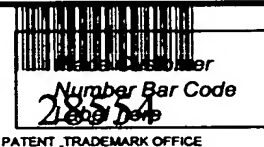
POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	10/071,562
Filing Date	February 8, 2002
First Named Inventor	Edward L. Bank
Group Art Unit	2166
Examiner Name	Unknown
Attorney Docket Number	SFTC-01001US0

I hereby appoint:

☒ Practitioners at Customer Number
OR

☐ Practitioner(s) named below:



PATENT, TRADEMARK OFFICE

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please change the correspondence address for the above-identified application to:

☒ The above-mentioned Customer Number.

OR

<input type="checkbox"/> Firm or Individual Name	Kirk J. DeNiro				
Address	Vierra Magen Marcus Harmon & DeNiro LLP				
Address	685 Market Street, Suite 540				
City	San Francisco	State	California	Zip	94105
Country	United States of America				
Telephone	(415) 369-9660	Fax	(415) 369-9665		

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record

Name	Edward L. Bank, Vice President; Engineering
Signature	<i>Edward L. Bank</i>
Date	<i>Apr 15, 2002</i>

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ *Total of 2 forms are submitted.

Burden Hour Statement: This form is estimated to take 3 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Edward L. Bank, Michael J. Comb and Juan Carlos Velten Funcia

Application No./Patent No.: 10/071,562 Filed/Issue Date: February 8, 2002

Entitled: A Method, Article of Manufacture, and Processing Device for Providing Promotions Over a Network Using an Alphanumeric Sequence from a Product
SoftCoin, Inc., a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by, percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

[] Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

April 24, 2002

Date

Kirk J. DeNiro, Reg. No. 35,854

Typed or printed name

Signature

Attorney of Record

Title

JOINT TO CORPORATE ASSIGNMENT

WHEREAS, the undersigned Inventors:

(1) Edward L. Bank
a resident of San Mateo, California; and

(2) Michael J. Comb
a resident of Dublin, California; and

(3) Juan Carlos Velten Funca
a resident of San Francisco, California; and

have invented certain new and useful improvements in:

A METHOD, ARTICLE OF MANUFACTURE, AND PROCESSING DEVICE FOR
PROVIDING PROMOTIONS OVER A NETWORK USING AN
ALPHANUMERIC SEQUENCE FROM A PRODUCT

and have executed a declaration or oath for an application for a United States patent disclosing and identifying the invention,

X Said application having Application Number 10/071,562 and filed on the 8th day of February 2002.

WHEREAS SoftCoin, Inc. (hereinafter termed "Assignee"), a corporation of the State of Delaware, having a place of business at 740 Dubuque Avenue, South San Francisco, State of California, wishes to acquire the entire right, title and interest in and to said application and the invention disclosed therein, and in and to all embodiments of the invention, heretofore conceived, made or discovered jointly or severally by said Inventors (all collectively hereinafter termed "said invention"), and in and to any and all patents, certificates of invention and other forms of protection thereon (hereinafter termed "patents") applied for or granted in the United States and/or other countries.

NOW THEREFORE, for good and valuable consideration acknowledged by each of said Inventors to have been received in full from said Assignee:

1. Said Inventors do hereby sell, assign, transfer and convey to said Assignee, the entire right, title and interest (a) in and to said application and said invention; (b) in and to all rights to apply in any or all countries of the world for patents, certificates of inventions or other governmental grants on said invention, including the right to apply for patents pursuant to the International Convention for the Protection of Industrial Property or pursuant to any other convention, treaty, agreement or understanding; (c) in and to any and all applications filed and any and all patents, certificates of inventions or other governmental grants granted on said invention in the United States or any other country, including each and every application filed and each and every patent granted on any application which is a division, substitution, or continuation of any of said applications; (d) in and to each and every reissue or extension of any of said patents; and (e) in and to each and every patent claim resulting from a reexamination certificate for any and all of said patents.

2. Said Inventors hereby jointly and severally covenant and agree to cooperate with said Assignee to enable said Assignee to enjoy to the fullest extent the right, title and interest herein conveyed in the United States and other countries. Such cooperation by said Inventors shall include prompt production of pertinent facts and documents, giving of testimony, executing of petitions, oaths, specifications, declarations or other papers, and other assistance all to the extent deemed necessary or desirable by said Assignee (a) for perfecting in said Assignee the right, title and interest herein conveyed; (b) for complying with any duty of disclosure; (c) for prosecuting any of said applications; (d) for filing and prosecuting substitute, divisional, continuing or additional applications covering said invention; (e) for filing and prosecuting applications for reissue of any of said patents; (f) for interference or other priority proceedings involving said invention; and (g) for legal proceedings involving said invention and any applications therefor and any patents granted thereon, including without limitation opposition proceedings, cancellation proceedings, priority contests, public use proceedings, reexamination proceedings, compulsory licensing proceedings, infringement actions and court actions; provided, however, that the expense incurred by said Inventors in providing such cooperation shall be paid for by said Assignee.

3. The terms and covenants of this Assignment shall inure to the benefit of said Assignee, its successors, assigns and other legal representatives, and shall be binding upon said Inventors, their respective heirs, legal representatives and assigns.

4. Said Inventors hereby jointly and severally warrant and represent that they have not entered and will not enter into any assignment, contract, or understanding in conflict herewith.

IN WITNESS WHEREOF, the said Inventors have executed this instrument on the date of acknowledgement before the Notary Public as given below and delivered this instrument to said Assignee:

(1) Edward L. Bank
Edward L. Bank

State of California

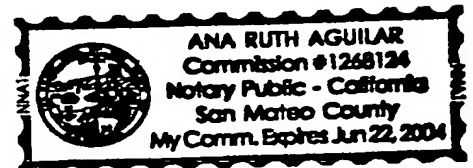
County of San Mateo

On April 15, 2002 before me, Ana Ruth Aguilar
(name and title of officer)

personally appeared Edward L. Bank, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Ana Ruth Aguilar



(2) Michael J. Comb
Michael J. Comb

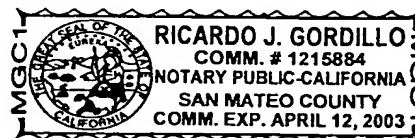
State of CALIFORNIA
County of SAN MATEO

On 4/15/02 before me, Ricardo J. Gordillo
(name and title of officer)

personally appeared Michael J. Comb, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Ricardo J. Gordillo



(3) Juan Carlos Velten Funca
Juan Carlos Velten Funca

State of CALIFORNIA
County of SAN MATEO

On 4/15/02 before me, Ricardo J. Gordillo
(name and title of officer)

personally appeared Juan Carlos Velten Funca, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Signature Ricardo J. Gordillo

